

08/16/01  
JCS12 U.S. PTO

08-07-01

A

Please type a plus sign (+) inside this box ☐

PTO/SB/05 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	265280-68798
First Inventor	Dale R. Peterson
Title	BIOERODABLE POLYMERIC ADHESIVES FOR TISSUE REPAIR
Express Mail Label No.	EM 465 649 984 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification (Total Pages 37)  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☐ Drawing(s) (35 U.S.C. 113) [Total       ]
- Oath or Declaration [Total Pages       ]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.53(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: Certificate of Mailing 1.110

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/633,102  
Prior application information: Examiner Webman, E. Group / Art Unit 1617

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Jill T. Powlick		
	Barnes & Thornburg		
Address	11 South Meridian Street		
City	Indianapolis	State	Indiana
		Zip Code	46204
Country	US	Telephone	317-231-7504
		Fax	317-231-7433

Name (Print/Type)	Jill T. Powlick	Registration No. (Attorney/Agent)	42,088
Signature	<i>[Signature]</i>	Date	8/16/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

1-997 U.S. PTO  
09/92318  
08/06/01

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="font-size: small; margin-top: 5px;">Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>	
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>\$710.00</b>	
Application Number Filing Date First Named Inventor <b>Dale R. Peterson</b> Examiner Name Group Art Unit Attorney Docket No. <b>265280-68798</b>		[Empty Box] [Empty Box] [Empty Box] [Empty Box] [Empty Box] [Empty Box]	

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																														
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <b>10-0435</b></p> <p>Deposit Account Name <b>Barnes &amp; Thornburg</b></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR § 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non - English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>620</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>600</td> <td>244</td> <td>300</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR § 1.17(g)</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR § 1.125(a))</td> <td></td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"> <b>SUBTOTAL (1)</b> </td> <td></td> <td><b>\$710.00</b></td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non - English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR § 1.17(g)		126	180	126	180	Submission of Information Disclosure Statement		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR § 1.125(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						<b>SUBTOTAL (1)</b>					<b>\$710.00</b>
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																										
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																												
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																											
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																											
139	130	139	130	Non - English specification																																																																																																																																																																																											
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																											
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																											
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																											
115	110	215	55	Extension for reply within first month																																																																																																																																																																																											
116	390	216	195	Extension for reply within second month																																																																																																																																																																																											
117	890	217	445	Extension for reply within third month																																																																																																																																																																																											
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																											
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																											
119	310	219	155	Notice of Appeal																																																																																																																																																																																											
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																											
121	270	221	135	Request for oral hearing																																																																																																																																																																																											
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																											
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																											
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																											
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																											
143	440	243	220	Design issue fee																																																																																																																																																																																											
144	600	244	300	Plant issue fee																																																																																																																																																																																											
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																											
123	50	123	50	Processing fee under 37 CFR § 1.17(g)																																																																																																																																																																																											
126	180	126	180	Submission of Information Disclosure Statement																																																																																																																																																																																											
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																											
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.125(a))																																																																																																																																																																																											
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																											
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																											
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																											
Other fee (specify) _____																																																																																																																																																																																															
<b>SUBTOTAL (1)</b>					<b>\$710.00</b>																																																																																																																																																																																										
<p><b>1. BASIC FILING FEE</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>710</td> <td>201</td> <td>355</td> <td>Utility filing fee</td> <td><b>710.00</b></td> </tr> <tr> <td>106</td> <td>320</td> <td>206</td> <td>160</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>490</td> <td>207</td> <td>245</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>710</td> <td>208</td> <td>355</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"> <b>SUBTOTAL (1)</b> </td> <td></td> <td><b>\$710.00</b></td> </tr> </tbody> </table>						Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	710	201	355	Utility filing fee	<b>710.00</b>	106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>\$710.00</b>																																																																																																																																												
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																										
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																												
101	710	201	355	Utility filing fee	<b>710.00</b>																																																																																																																																																																																										
106	320	206	160	Design filing fee																																																																																																																																																																																											
107	490	207	245	Plant filing fee																																																																																																																																																																																											
108	710	208	355	Reissue filing fee																																																																																																																																																																																											
114	150	214	75	Provisional filing fee																																																																																																																																																																																											
<b>SUBTOTAL (1)</b>					<b>\$710.00</b>																																																																																																																																																																																										
<p><b>2. EXTRA CLAIM FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Extra Claims</th> <th rowspan="2">Fee from below</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Total Claims</th> <th>12 - 20** = 0 X</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>3 - 3** = 0 X</td> <td></td> <td><b>0.00</b></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td><b>0.00</b></td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>80</td> <td>202</td> <td>40</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>270</td> <td>204</td> <td>135</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>109</td> <td>80</td> <td>209</td> <td>40</td> <td>** Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"> <b>SUBTOTAL (2)</b> </td> <td></td> <td><b>\$0.00</b></td> </tr> </tbody> </table>						Extra Claims		Fee from below	Fee Paid	Total Claims	12 - 20** = 0 X	Independent Claims	3 - 3** = 0 X		<b>0.00</b>	Multiple Dependent			<b>0.00</b>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	103	18	203	9	Claims in excess of 20		102	80	202	40	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim, if not paid		109	80	209	40	** Reissue independent claims over original patent		110	18	210	9	** Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					<b>\$0.00</b>																																																																																																																														
Extra Claims		Fee from below	Fee Paid																																																																																																																																																																																												
Total Claims	12 - 20** = 0 X																																																																																																																																																																																														
Independent Claims	3 - 3** = 0 X		<b>0.00</b>																																																																																																																																																																																												
Multiple Dependent			<b>0.00</b>																																																																																																																																																																																												
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																										
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																												
103	18	203	9	Claims in excess of 20																																																																																																																																																																																											
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																											
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																											
109	80	209	40	** Reissue independent claims over original patent																																																																																																																																																																																											
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																											
<b>SUBTOTAL (2)</b>					<b>\$0.00</b>																																																																																																																																																																																										
<p>**or number previously paid, if greater; For Reissues, see above</p> <p style="text-align: right;">*Reduced by Basic Filing Fee Paid</p> <p style="text-align: right;"><b>SUBTOTAL (3)</b></p>																																																																																																																																																																																															

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Jill T. Powlick	Registration No. (Attorney/Agent)	42,688
Signature		Telephone	317-231-7504
		Date	August 6, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

BARNES&THORNBURG

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: Unknown  
Attorney Docket: 265280-68798  
Applicant: Dale R. Peterson et al.  
Invention: BIOERODABLE POLYMERIC ADHESIVES FOR TISSUE REPAIR  
Serial No.: Unknown  
Filed : August 6, 2001  
Examiner: Unknown

CERTIFICATE UNDER 37 C.F.R. § 1.10

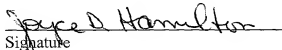
Assistant Commissioner for Patents  
Washington, D.C. 20231

Express Mail label number: EM 465 649 904 US  
Date of deposit: August 6, 2001

Sir:

I hereby certify that the enclosed paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

  
Signature

Joyce D. Hamilton  
Typed or Printed Name

Enclosure  
Indianapolis, Indiana  
INDS02 JDH 286498v1